

Application No. 09/609,961

Inventor: Miller

Request for Continued Examination and Response to Final Office Action dated May 28, 2003

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 1 - 4, 8, 24, 27, 30, and 31 have been amended without adding new matter. The remarks below in response to claim rejections refer to claims as amended herein.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 3 - 11 and 13 - 38 have been rejected under 35 U.S.C. §103 as being unpatentable over Dao et al, U.S. patent No. 5,835,077 ("Dao") in view of Wambach, U.S. Patent No. 5,444,462 ("Wambach").

Applicant submits that the pending claims recite one or more limitations not disclosed by the cited references. For example, claim 1 recites in part:

a plurality of finger-shaped sleeves that are coupled together and are each worn on a different finger of a hand, wherein at least one of the plurality of sleeves has at least one contact-sensitive element for controlling an electronic device using finger movements

Neither Dao, nor Wambach teach that the controlling element of the device is a contact-sensitive device. Dao teaches that the accelerometers 12, 14, and 16 are positioned within the chassis so they will sense acceleration or inclination of the chassis in three dimensions. (C4 L60 - 63). The chassis require no contact to sense the movement of the user. The chassis detect any movement of the user and is not limited to movement induced by a touch-sensitive element.

Wambach is similar in that the glove the user is wearing detects movement of the finger in an up and down motion while the wrist detects movement of a side to side motion. (C2 L39 - 64). Again, no reference is made to a touch-sensitive

Application No. 09/609,961

Inventor: Miller

Request for Continued Examination and Response to Final Office Action dated May 28, 2003

device as the sensors in Wambach detect movement by the finger and wrist independently of any other contact.

Furthermore, applicant points out that Dao teaches that the chassis may be sized and shaped to fit *in* the hand of a user or may be shaped to be attached to part of the user's body such as the back of the hand. (C4 L55-60). Dao does not teach that the device may form any shape as to form the shape of the user hand and that the device may be attached to, if desired, to a user's hand via a glove.

(Office Action Page 4, Paragraph 5.)

Therefore, claim 1 is not unpatentable over Dao in view of Wambach nor are claims 2-23 which depend from and further limit claim 1.

Independent claims 24 and 27 have been amended to add the limitation that the control element on at least one of the plurality of sleeves is a contact-sensitive element. This limitation is not disclosed by either Dao or Wambach as stated above as to claim 1. Therefore claim 24 is not unpatentable over Dao in view of Wambach nor are claims 25 – 26 which depend from and further limit claim 24.

Claim 27 is not unpatentable over Dao in view of Wambach for the reasons stated above as to claim 1, nor are claims 28-38 which depend from and further limit claim 27.

Application No. 09/609,961

Inventor: Miller

Request for Continued Examination and Response to Final Office Action dated May 28, 2003

CONCLUSION

In accordance with 37 CFR 1.114 applicant hereby makes a request for continued examination and has amended claims 1 – 4, 8, 24, 27, 30, and 31 in response to the final office action dated May 28, 2003. Applicant believes the amendments bring the above identified application in condition for allowance and requests a Notice of Allowance. Applicant urge the Examiner to telephone Applicants' attorney at (408) 551-6632 if any issues remain that preclude allowance of the application.

Respectfully submitted,

SHEMWELL MAHAMEDI LLP

Dated: November 14, 2005


Van Mahamedi, Reg. No. 42,828

4880 Stevens Creek Boulevard, Suite 201
San Jose, California 95129
Telephone No.: (408) 551-6632
Facsimile No.: (408) 236-6641